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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,436	03/30/2001	Nevenka Dimitrova	US 010161	8474
24737	7590	08/12/2005	EXAMINER	
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			2617	

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/822,436

Applicant(s)

DIMITROVA ET AL.

Examiner

Annan Q. Shang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-11, 15-21 and 25-28 are rejected under 35 U.S.C. 102(b) as being anticipated by **Kwoh et al (6,115,057)**.

As to claim 1-4, note the **Kwoh** reference figures 1-3 and 30-32, discloses apparatus and method for allowing rating level control of the viewing of a program and further discloses a method for dynamically filtering the content of a multimedia program in real time on a segment-by-segment basis responsive to a filter criteria, comprising:

splitting (Receiver 10005 Decoder/Command Controller 724 'R-Decoder/CC' figs. 18, 20, 25, col. 10, line 58-col.11, line 21, lines 45-49, col. 14, lines 7-18 and col. 16, line 66-col.27) the multimedia program into a plurality of multimedia components (PG-13 rated video, G-rated video, audio, text, closed caption, etc., figs 23-24 and col. 15, line 53-col. 16, line 1+), note that R-Decoder (which includes VBI Slicer, Rating Text Decoder, EDS Decoder and Closed Caption Decoder, fig. 25) splits the multimedia into various multimedia components under the control of CC 724; and extracts audio, video, and transcript features (text) from segments within the multimedia components;

generating (CC 724/Rating Data Detector 'R-DD 704, figs 26-27, col. 17, line 32-col. 18, line 20) a numeric ranking (rating levels, highest rating G to lowest rating X) for the filter criteria for each segments; and when the respective numeric ranking for that segment exceeds a threshold, processing that segment to thereby eliminate material corresponding to the filter criteria (table 750 fig. 26, col. 16, line 53-col. 16, line 34 and line 35+), note that the filtering is based on table 750 and permits device 748 to control block or modify the audio and video portion of the segments, text and furthermore skip entire segment portion (col. 16, lines 7-62 and col. 17, line 46-col. 18, line 20).

As to claims 5-7, Kwoh further discloses where the numeric ranking is a weighted numeric ranking, and where each weighted factor employed in generating the weighted numeric ranking identifies a characteristics of a respective viewer of the multimedia program and generated by comparing the content of each segment to the filter criteria (col. 7, line 38-col. 8, line 1+, col. 10, line 58-col. 11, line 21, lines 44-67 and col. 16, lines 2-62).

As to claim 8, Kwoh further discloses where numeric rankings for proximate ones of the segments each exceed the threshold, merging the proximate ones of the segments and any intervening segments to thereby produce a merged segment and processing the merged segment to thereby eliminate material corresponding to the filter criteria (figs. 25-28 and col. 16, line 66-col. 17, line 1+).

As to claims 9-11, Kwoh further discloses various filtering criteria and generating different numeric rankings for respective filtering criteria for each segments and when the respective numeric rankings for each segment which exceeds a threshold,

processing that segment to thereby eliminate material corresponding to one of the filtering criteria based on the respective threshold and where different filtering criteria is associated with passive users and comprises a different set of filter criteria where one is a subset of the other set (col. 7, line 38-col. 8, line 1+, col. 10, line 58-col. 11, line 21, lines 44-67 and col. 16, line 2-col. 17, line 1+).

As to claim 15, Kwoh further discloses where the filter criteria, is freely selectable from different predefined filter criteria and user-defined filter criteria, which are positive integers (col. 7, line 38-col. 8, line 1+, col. 11, lines 13-63 and col. 16, line 2-col. 17, line 1+).

As to claims 16-18, note the **Kwoh** reference figures 1-3 and 30-32, discloses apparatus and method for allowing rating level control of the viewing of a program and further discloses a parental control system filtering objectionable material from a multimedia program in accordance with a filter criteria, comprising:

a splitting mechanism (Receiver 10005 Decoder/Command Controller 724 'R-Decoder/CC' figs. 18, 20, 25, col. 10, line 58-col.11, line 21, lines 45-49, col. 14, lines 7-18 and col. 16, line 66-col.27) the multimedia program into a plurality of multimedia components (PG-13 rated video, G-rated video, audio, text, closed caption, etc., figs 23-24 and col. 15, line 53-col. 16, line 1+), note that R-Decoder (which includes VBI Slicer, Rating Text Decoder, EDS Decoder and Closed Caption Decoder, fig. 25) splits the multimedia into various multimedia components under the control of CC 724; and extracts audio, video, and transcript features (text) from segments within the multimedia components;

a transcript analysis module (Rating/Text/Closed Caption Decoders 708/712, fig. 25 and col. 17, lines 3-27) extracting first audible features and text from a transcript analysis component within the multimedia components;

a visual analysis module (Device 748, col. 17, line 46-col. 18, line 20) extracting video features from a visual analysis component within the multimedia components;

audio analysis module (Device 748/715, col. 17, lines 22-36 and line 46-col. 18, line 20) extracting second audible features from an audio analysis component within the multimedia components;

an analyzer (CC 724/Rating Data Detector 'R-DD 704, figs 26-27, col. 17, line 32-col. 18, line 20) generates numeric ranking (rating levels, highest rating G to lowest rating X) for each of the segments in response to extracted features and which generates a respective control signal when the numeric ranking exceeds a threshold and a filter (Device 748) which processes one of the segments of the multimedia, program in response to a received respective control signal, to thereby eliminate material corresponding to the filter criteria (table 750 fig. 26, col. 16, line 53-col. 16, line 34 and line 35+), note that the filtering is based on table 750 and permits device 748 to control block or modify the audio and video portion of the segments, text and furthermore skip entire segment portion (col. 16, lines 7-62 and col. 17, line 46-col. 18, line 20).

Claim 19 is met as previously discussed with respect to claim 4.

Claims 20-21 are met as previously discussed with respect to claim 5-6.

As to claims 25-28, Kwoh further discloses where a television set, STB, VCR and client software device incorporates the parental control system (col. 3, line 64-col. 4, line 15-53).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 12-14 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kwoh et al (6,115,057)** as applied to claims 1 and 16 above, and in view of **Alexander et al (6,177,931)**

As to claims 12-14, Kwoh fails to explicitly teach providing training segments having content corresponding to the filter criteria and learning to identify content matching the filter criteria, where the learning step is performed by device, comprising a software device and reviewing results generated during performance of the extracting and generating steps and providing feedback to the device corresponding to a review of the results by a controlling user and learning module comprising a neural network.

However, note **Alexander** reference figure 1 discloses utilization of viewer profile information to provide customized presentation of multimedia information and further discloses providing training segments having content corresponding to the filter criteria and learning (using the user interaction to the multimedia segments) to identify content

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matching the filter criteria, where the learning step is performed by device, comprising a software device and reviewing results generated during performance of the extracting and generating steps and providing feedback to the device corresponding to a review of the results by a controlling user and using various learning methods including neural network (col. 28, lines 10-col. 30, line 1+).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Alexander into the system of Kwoh to provide a monitoring means for learning a user interaction to the multimedia data to enable creating of profile(s) for various users and target appropriate multimedia data to specific users.

Claims 22-14 are met as previously discussed with respect to claims 12-14.

Response to Arguments

5. Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection. The amendment to all the independent claims necessitated the new ground(s) rejection discussed above. This office action is made Final.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yuen et al (6,321,381) disclose apparatus and method for improved parental control of television use.

Human et al (6,166,728) disclose display system with programmable display parameters.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC)** at **866-217-9197 (toll-free)**.



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